

19MAG 6651

Approved: SL
STEPHANIE LAKE
Assistant United States Attorney

Before: THE HONORABLE KEVIN NATHANIEL FOX
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
- v. -	:	Violations of
	:	18 U.S.C. § 875(c)
GARRETT KELSEY,	:	
Defendant.	:	COUNTY OF OFFENSE:
	:	NEW YORK

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SOUTHERN DISTRICT OF NEW YORK, ss.:

LINDSEY KOWAL, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

(Interstate Transmission of Threat to Injure Person)

1. On or about May 23, 2019, in the Southern District of New York and elsewhere, GARRETT KELSEY, the defendant, knowingly transmitted in interstate and foreign commerce a communication containing a threat to injure the person of another, to wit, KELSEY left a voicemail and sent an email threatening to injure and kill the employees of a particular organization (the "Victim Organization").

(Title 18, United States Code, Section 875(c).)

2. I am a Special Agent with the Joint Terrorism Task Force (the "JTTF") of the FBI. I have been assigned to the JTTF since March 2019. I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with other law enforcement officers and agents, my interview of a witness, and my examination of documents, reports

and other records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my interview with an employee ("Employee-1") of the Victim Organization, my conversations with other law enforcement officers who have spoken with Employee-1, my review of reports, and my review of documents Employee-1 provided, I have learned, among other things, the following:

a. The Victim Organization is an international Jewish organization headquartered in Manhattan.

b. On or about May 23, 2019, an individual later identified as GARRETT KELSEY, the defendant, *see infra* ¶ 5, called the Victim Organization and spoke to Employee-1. KELSEY identified himself to Employee-1 as "Garrett Odinschild" and spoke briefly before Employee-1 hung up the telephone. Shortly thereafter, KELSEY called back and left a profanity-laced voicemail (the "Voicemail") for Employee-1. Among other things, KELSEY stated that "My people have fucking slaughtered your fucking people before and we will do it again. And right now, you are giving us incentive to do that Filthy fucking Jews."

c. On or about May 23, 2019, Employee-1 received an email (the "Email") from an individual later identified as KELSEY, *see infra* ¶ 5. KELSEY sent the Email from a particular Google email account with an associated display name of "Garrett Odinschild." The Email demanded that the Victim Organization remove a video regarding Nordic Neo-Nazis that the Victim Organization had uploaded to the Internet. Specifically, the Email stated that "Everywhere Jews go in the world they cause trouble. You have 3 days to remove this video and offer an apology to the Asatru¹ community or we will be taking action against your organization full of degenerates."

¹ Based on my review of open source material, I have learned that "Asatru" is a neo-religious movement aimed at reviving Norse religious beliefs and pre-Christian European practices. In recent years, the Asatru faith has reportedly been linked to

4. Based on my involvement in this investigation, including my conversations with other law enforcement officers, I have learned, among other things, that on or about May 24, 2019, GARRETT KELSEY, the defendant, voluntarily agreed to participate in an interview with law enforcement (the "Interview").

5. Based on my review of an audio recording and a draft transcript of the Interview, I have learned, among other things, that GARRETT KELSEY, the defendant, admitted that he left the Voicemail for and sent the Email to the Victim Organization.

6. Based on my review of material from a Facebook account registered in the name "Garrett Odinschild," (the "Garrett Odinschild Facebook Account"), I have learned, among other things, the following:

a. GARRETT KELSEY, the defendant, appears to maintain and control the Garrett Odinschild Facebook Account. The name on the account, "Garrett Odinschild," is the same name that appeared on the Email. See *supra* ¶ 3(c). Moreover, based on my conversations with other law enforcement agents who have interviewed KELSEY and my review of the Garrett Odinschild Facebook Account, I know that on or about February 10, 2019, a photograph of KELSEY appeared as the Garrett Odinschild Facebook Account profile picture.

b. Based on my review of a message that appears to have been deleted from the Garrett Odinschild Facebook Account, but that the Victim Organization captured an image of, I have learned that on or about May 16, 2019, KELSEY sent a publicly viewable message to a Facebook group named "Iowa Antifa." In the message, KELSEY stated "I think you better second guess opening your little queer club here in Iowa. If I ever see any of you cock sucking commie fascist snowflakes, I'm gonna bash your skulls in without warning! White is might!! 1488!! Hail Odin! Hail Asatru!!"

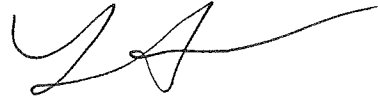
anti-Semitic and other racist groups. For instance, in 2017, self-identified white supremacist participants carried paraphernalia bearing symbols associated with the Old Norse culture at a protest march in Charlottesville, Virginia.

c. Based on my training, experience, involvement in this investigation, and review of open source materials, I know that "Antifa" is a protest movement, which is, among other things, opposed to fascism. I also know that "1488" is a combination of two popular white supremacist numeric symbols. "14" is shorthand for the "14 words" slogan "we must secure the existence of our people and a future for white children." "88" is shorthand for "Heil Hitler."

d. On or about June 2, 2019, approximately one week after the Interview, KELSEY changed the cover photograph associated with the Garrett Odinschild Facebook Account. The new cover photograph depicts individuals lined up facing a wall with their hands up, as shown below. Based on my review of open source material, I have learned that this photograph depicts Jewish residents of a ghetto in Warsaw, Poland, who were detained after an uprising during World War II and ultimately transferred to Nazi concentration camps.

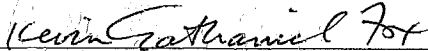


WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of GARRETT KELSEY, the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.



LINDSEY KOWAL
Special Agent
Federal Bureau of Investigation

Sworn to before me this
18th day of July, 2019



THE HONORABLE KEVIN NATHANIEL FOX
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT

for the

Southern District of New York

United States of America

v.

Garrett Kelsey,

Case No.

19MAG 6651

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Garrett Kelsey

who is accused of an offense or violation based on the following document filed with the court:

- ☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Violations of 18 U.S.C. § 875(c)

Date: 07/18/2019

Kevin Nathaniel Fox
Issuing officer's signature

City and state: New York, NY

Hon. Kevin Nathaniel Fox, USMJ
Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date: _____

Arresting officer's signature

Printed name and title